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OFFICE OF PETITIONS

In re Application of :
Le et al. :
Application No. 09/762,833 : **DECISION ON PETITION**
Filed: January 30, 2001 :
Attorney Docket No. 100519.00026 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed October 30, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an Amendment, (2) the petition fee, and (3) a proper statement of unintentional delay.

Petitioner also remarks that although the status of the instant application has been listed as Expressly Abandoned, "applicants never expressly abandoned the pending application nor do they intend [to] abandon it." A request to expressly abandon the application was entered on September 15, 2006. However, a review of the application file shows that neither the required written declaration of abandonment nor a petition under 37 CFR 1.138 is of record and neither can be located. Petitioner submitted the instant petition to revive on October 30, 2006, immediately refuting the express abandonment. It appears the status of 'Express Abandonment' is incorrect.

A Revocation of Power of Attorney was submitted by the assignee on October 26, 2007. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3206.

This matter is being referred to Technology Center 1713 for further examination on the merits.

Liana Walsh
Petitions Examiner
Office of Petitions

cc: E.I. DU PONT DE NEMOURS AND COMPANY
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